

**BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Petition to Revoke Probation  
Against:

Case No. 2004-129

JILL RENEE SCHROEDER  
aka JILL RENEE ARNEY  
165 Sunrise Avenue  
Auburn, CA 96150

Registered Nurse License No. RN 550964

Respondent.

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on DECEMBER 29, 2007.

It is so ORDERED NOVEMBER 29, 2007.

  
\_\_\_\_\_  
FOR THE BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS

1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 ARTHUR TAGGART  
Supervising Deputy Attorney General  
3 ELENA L. ALMANZO, State Bar No. 131058  
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8 Attorneys for Complainant

9 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Petition to Revoke Probation  
12 Against:

Case No. 2004-129

13 JILL RENEE SCHROEDER  
aka JILL RENEE ARNEY  
14 165 Sunrise Avenue  
Auburn, California 96150  
15

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

16 Registered Nurse License No. RN 550964

17 Respondent.

18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the  
19 above-entitled proceedings that the following matters are true:

20 **PARTIES**

21 1. Ruth Ann Terry, M.P.H, R.N (Complainant) is the Executive Officer of  
22 the Board of Registered Nursing. She brought this action solely in her official capacity and is  
23 represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,  
24 by Elena L. Almanzo, Deputy Attorney General.

25 2. Respondent Jill Renee Schroeder, also known as Jill Renee Arney  
26 (Respondent) is representing herself in this proceeding and has chosen not to exercise her right to  
27 be represented by counsel.

28 3. On or about January 12, 1999, the Board of Registered Nursing issued

1 Registered Nurse License No. RN 550964 to Jill Renee Schroeder, also known as Jill Renee  
2 Arney (Respondent). The License was in full force and effect at all times relevant to the charges  
3 brought in Petition to Revoke Probation No. 2004-129 and will expire on August 31, 2008,  
4 unless renewed.

#### 5 JURISDICTION

6 4. Petition to Revoke Probation No. 2004-129 was filed before the Board of  
7 Registered Nursing (Board) , Department of Consumer Affairs, and is currently pending against  
8 Respondent. The Petition to Revoke Probation and all other statutorily required documents were  
9 properly served on Respondent on August 17, 2007. Respondent timely filed her Notice of  
10 Defense contesting the Petition to Revoke Probation. A copy of Petition to Revoke Probation  
11 No. 2004-129 is attached as exhibit A and incorporated herein by reference.

#### 12 ADVISEMENT AND WAIVERS

13 5. Respondent has carefully read, and understands the charges and allegations  
14 in Petition to Revoke Probation No. 2004-129. Respondent has also carefully read, and fully  
15 understands the effects of this Stipulated Settlement and Disciplinary Order.

16 6. Respondent is fully aware of her legal rights in this matter, including the  
17 right to a hearing on the charges and allegations in the Petition to Revoke Probation; the right to  
18 be represented by counsel at her own expense; the right to confront and cross-examine the  
19 witnesses against her; the right to present evidence and to testify on her own behalf; the right to  
20 the issuance of subpoenas to compel the attendance of witnesses and the production of  
21 documents; the right to reconsideration and court review of an adverse decision; and all other  
22 rights accorded by the California Administrative Procedure Act and other applicable laws.

23 7. Respondent voluntarily, knowingly, and intelligently waives and gives up  
24 each and every right set forth above.

25 8. The parties agree paragraph 11 of the accusation as written shall be  
26 stricken and shall be amended as follows: "11. Respondent's probation is subject to revocation  
27 because she failed to comply with Probation Condition 16, referenced above. Respondent tested  
28 positive for alcohol on April 19, 2007 and May 31, 2007."

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CULPABILITY

9. Respondent admits the truth of each and every charge and allegation as amended in Petition to Revoke Probation No. 2004-129.

10. Respondent agrees that her Registered Nurse License is subject to discipline and she agrees to be bound by the Board of Registered Nursing (Board) 's imposition of discipline as set forth in the Disciplinary Order below.

CIRCUMSTANCES IN MITIGATION

11. Respondent has been in compliance with all other conditions of probation. Respondent denies drinking or that she used mood altering drugs.

CONTINGENCY

12. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

OTHER MATTERS

13. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

DISCIPLINARY ORDER

In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

1 IT IS HEREBY ORDERED that the revocation of Registered Nurse License No.  
2 RN 550964 issued to Respondent Jill Renee Schroeder aka Jill Renee Arney (Respondent) shall  
3 be reimposed. However, said revocation is stayed and Respondent's original probation shall be  
4 extended for a period of eight months to December 31, 2008 on the following terms and  
5 conditions:

6 **Severability Clause.** Each condition of probation contained herein is a separate  
7 and distinct condition. If any condition of this Order, or any application thereof, is declared  
8 unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other  
9 applications thereof, shall not be affected. Each condition of this Order shall separately be valid  
10 and enforceable to the fullest extent permitted by law.

11 1. **Obey All Laws.** Respondent shall obey all federal, state and local laws.  
12 A full and detailed account of any and all violations of law shall be reported by Respondent to  
13 the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of  
14 compliance with this condition, Respondent shall submit completed fingerprint forms and  
15 fingerprint fees within 45 days of the effective date of the decision, unless previously submitted  
16 as part of the licensure application process.

17 **Criminal Court Orders:** If Respondent is under criminal court orders, including  
18 probation or parole, and the order is violated, this shall be deemed a violation of these probation  
19 conditions, and may result in the filing of an accusation and/or petition to revoke probation.

20 2. **Comply with the Board's Probation Program.** Respondent shall fully  
21 comply with the conditions of the Probation Program established by the Board and cooperate  
22 with representatives of the Board in its monitoring and investigation of the Respondent's  
23 compliance with the Board's Probation Program. Respondent shall inform the Board in writing  
24 within no more than 15 days of any address change and shall at all times maintain an active,  
25 current license status with the Board, including during any period of suspension.

26 Upon successful completion of probation, Respondent's license shall be fully  
27 restored.

28 3. **Report in Person.** Respondent, during the period of probation, shall

1 appear in person at interviews/meetings as directed by the Board or its designated  
2 representatives.

3           **4. Residency, Practice, or Licensure Outside of State.** Periods of  
4 residency or practice as a registered nurse outside of California shall not apply toward a reduction  
5 of this probation time period. Respondent's probation is tolled, if and when she resides outside  
6 of California. Respondent must provide written notice to the Board within 15 days of any change  
7 of residency or practice outside the state, and within 30 days prior to re-establishing residency or  
8 returning to practice in this state.

9           Respondent shall provide a list of all states and territories where she has ever been  
10 licensed as a registered nurse, vocational nurse, or practical nurse. Respondent shall further  
11 provide information regarding the status of each license and any changes in such license status  
12 during the term of probation. Respondent shall inform the Board if she applies for or obtains a  
13 new nursing license during the term of probation.

14           **5. Submit Written Reports.** Respondent, during the period of probation,  
15 shall submit or cause to be submitted such written reports/declarations and verification of actions  
16 under penalty of perjury, as required by the Board. These reports/declarations shall contain  
17 statements relative to Respondent's compliance with all the conditions of the Board's Probation  
18 Program. Respondent shall immediately execute all release of information forms as may be  
19 required by the Board or its representatives.

20           Respondent shall provide a copy of this Decision to the nursing regulatory agency  
21 in every state and territory in which she has a registered nurse license.

22           **6. Function as a Registered Nurse.** Respondent, during the period of  
23 probation, shall engage in the practice of registered nursing in California for a minimum of 24  
24 hours per week for 6 consecutive months or as determined by the Board.

25           For purposes of compliance with the section, "engage in the practice of registered  
26 nursing" may include, when approved by the Board, volunteer work as a registered nurse, or  
27 work in any non-direct patient care position that requires licensure as a registered nurse.

28           The Board may require that advanced practice nurses engage in advanced practice

1 nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the  
2 Board.

3           If Respondent has not complied with this condition during the probationary term,  
4 and Respondent has presented sufficient documentation of her good faith efforts to comply with  
5 this condition, and if no other conditions have been violated, the Board, in its discretion, may  
6 grant an extension of Respondent's probation period up to one year without further hearing in  
7 order to comply with this condition. During the one year extension, all original conditions of  
8 probation shall apply.

9           **7. Employment Approval and Reporting Requirements.** Respondent  
10 shall obtain prior approval from the Board before commencing or continuing any employment,  
11 paid or voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all  
12 performance evaluations and other employment related reports as a registered nurse upon request  
13 of the Board.

14           Respondent shall provide a copy of this Decision to her employer and immediate  
15 supervisors prior to commencement of any nursing or other health care related employment.

16           In addition to the above, Respondent shall notify the Board in writing within  
17 seventy-two (72) hours after she obtains any nursing or other health care related employment.  
18 Respondent shall notify the Board in writing within seventy-two (72) hours after she is  
19 terminated or separated, regardless of cause, from any nursing, or other health care related  
20 employment with a full explanation of the circumstances surrounding the termination or  
21 separation.

22           **8. Supervision.** Respondent shall obtain prior approval from the Board  
23 regarding Respondent's level of supervision and/or collaboration before commencing or  
24 continuing any employment as a registered nurse, or education and training that includes patient  
25 care.

26           Respondent shall practice only under the direct supervision of a registered nurse  
27 in good standing (no current discipline) with the Board of Registered Nursing, unless alternative  
28 methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician)

are approved.

Respondent's level of supervision and/or collaboration may include, but is not limited to the following:

(a) Maximum - The individual providing supervision and/or collaboration is present in the patient care area or in any other work setting at all times.

(b) Moderate - The individual providing supervision and/or collaboration is in the patient care unit or in any other work setting at least half the hours Respondent works.

(c) Minimum - The individual providing supervision and/or collaboration has person-to-person communication with Respondent at least twice during each shift worked.

(d) Home Health Care - If Respondent is approved to work in the home health care setting, the individual providing supervision and/or collaboration shall have person-to-person communication with Respondent as required by the Board each work day. Respondent shall maintain telephone or other telecommunication contact with the individual providing supervision and/or collaboration as required by the Board during each work day. The individual providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to patients' homes visited by Respondent with or without Respondent present.

**9. Employment Limitations.** Respondent shall not work for a nurse's registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a traveling nurse, or for an in-house nursing pool.

Respondent shall not work for a licensed home health agency as a visiting nurse unless the registered nursing supervision and other protections for home visits have been approved by the Board. Respondent shall not work in any other registered nursing occupation where home visits are required.

Respondent shall not work in any health care setting as a supervisor of registered nurses. The Board may additionally restrict Respondent from supervising licensed vocational nurses and/or unlicensed assistive personnel on a case-by-case basis.

Respondent shall not work as a faculty member in an approved school of nursing or as an instructor in a Board approved continuing education program.



Respondent shall work only on a regularly assigned, identified and predetermined worksite(s) and shall not work in a float capacity.

If Respondent is working or intends to work in excess of 40 hours per week, the Board may request documentation to determine whether there should be restrictions on the hours of work.

10. **Complete a Nursing Course(s).** Respondent, at her own expense, shall enroll and successfully complete a course(s) relevant to the practice of registered nursing no later than six months prior to the end of her probationary term.

Respondent shall obtain prior approval from the Board before enrolling in the course(s). Respondent shall submit to the Board the original transcripts or certificates of completion for the above required course(s). The Board shall return the original documents to Respondent after photocopying them for its records.

11. **Violation of Probation.** If Respondent violates the conditions of her probation, the Board after giving Respondent notice and an opportunity to be heard, may set aside the stay order and impose the stayed discipline (revocation/suspension) of Respondent's license.

If during the period of probation, an accusation or petition to revoke probation has been filed against Respondent's license or the Attorney General's Office has been requested to prepare an accusation or petition to revoke probation against Respondent's license, the probationary period shall automatically be extended and shall not expire until the accusation or petition has been acted upon by the Board.

12. **License Surrender.** During Respondent's term of probation, if she ceases practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of probation, Respondent may surrender her license to the Board. The Board reserves the right to evaluate Respondent's request and to exercise its discretion whether to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances, without further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent will no longer be subject to the conditions of probation.

1 Surrender of Respondent's license shall be considered a disciplinary action and  
2 shall become a part of Respondent's license history with the Board. A registered nurse whose  
3 license has been surrendered may petition the Board for reinstatement no sooner than the  
4 following minimum periods from the effective date of the disciplinary decision:

5 (1) Two years for reinstatement of a license that was surrendered for any  
6 reason other than a mental or physical illness; or

7 (2) One year for a license surrendered for a mental or physical illness.

8 **13. Participate in Treatment/Rehabilitation Program for Chemical**  
9 **Dependence.** Respondent, at her expense, shall successfully complete during the probationary  
10 period or shall have successfully completed prior to commencement of probation a Board-  
11 approved treatment/rehabilitation program of at least six months duration. As required, reports  
12 shall be submitted by the program on forms provided by the Board. If Respondent has not  
13 completed a Board-approved treatment/rehabilitation program prior to commencement of  
14 probation, Respondent, within 45 days from the effective date of the decision, shall be enrolled in  
15 a program. If a program is not successfully completed within the first nine months of probation,  
16 the Board shall consider Respondent in violation of probation.

17 Based on Board recommendation, each week Respondent shall be required to  
18 attend at least one, but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics  
19 Anonymous, Alcoholics Anonymous, etc.) and a nurse support group as approved and directed  
20 by the Board. If a nurse support group is not available, an additional 12-step meeting or  
21 equivalent shall be added. Respondent shall submit dated and signed documentation confirming  
22 such attendance to the Board during the entire period of probation. Respondent shall continue  
23 with the recovery plan recommended by the treatment/rehabilitation program or a licensed  
24 mental health examiner and/or other ongoing recovery groups.

25 **14. Abstain from Use of Psychotropic (Mood-Altering) Drugs.** Respondent  
26 shall completely abstain from the possession, injection or consumption by any route of and all  
27 psychotropic (mood altering) drugs, including alcohol, except when the same are ordered by a  
28 health care professional legally authorized to do so as part of documented medical treatment.

1 Respondent shall have sent to the Board, in writing and within fourteen (14) days, by the  
2 prescribing health professional, a report identifying the medication, dosage, the date the  
3 medication was prescribed, the Respondent's prognosis, the date the medication will no longer  
4 be required, and the effect on the recovery plan, if appropriate.

5 Respondent shall identify for the Board a single physician, nurse practitioner or  
6 physician assistant who shall be aware of Respondent's history of substance abuse and will  
7 coordinate and monitor any prescriptions for Respondent for dangerous drugs, controlled  
8 substances or mood-altering drugs. The coordinating physician, nurse practitioner, or physician  
9 assistant shall report to the Board on a quarterly basis Respondent's compliance with this  
10 condition. If any substances considered addictive have been prescribed, the report shall identify a  
11 program for the time limited use of any such substances.

12 The Board may require the single coordinating physician, nurse practitioner, or  
13 physician assistant to be a specialist in addictive medicine, or to consult with a specialist in  
14 addictive medicine.

15 15. **Submit to Tests and Samples.** Respondent, at her expense, shall  
16 participate in a random, biological fluid testing or a drug screening program which the Board  
17 approves. The length of time and frequency will be subject to approval by the Board.  
18 Respondent is responsible for keeping the Board informed of Respondent's current telephone  
19 number at all times. Respondent shall also ensure that messages may be left at the telephone  
20 number when she is not available and ensure that reports are submitted directly by the testing  
21 agency to the Board, as directed. Any confirmed positive finding shall be reported immediately  
22 to the Board by the program and Respondent shall be considered in violation of probation.

23 In addition, Respondent, at any time during the period of probation, shall fully  
24 cooperate with the Board or any of its representatives, and shall, when requested, submit to such  
25 tests and samples as the Board or its representatives may require for the detection of alcohol,  
26 narcotics, hypnotics, dangerous drugs, or other controlled substances.

27 If Respondent has a positive drug screen for any substance not legally authorized  
28 and not reported to the coordinating physician, nurse practitioner, or physician assistant, and the

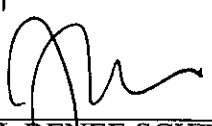
1 Board files a petition to revoke probation or an accusation, the Board may suspend Respondent  
2 from practice pending the final decision on the petition to revoke probation or the accusation.  
3 This period of suspension will not apply to the reduction of this probationary time period.

4 If Respondent fails to participate in a random, biological fluid testing or drug  
5 screening program within the specified time frame, Respondent shall immediately cease practice  
6 and shall not resume practice until notified by the Board. After taking into account documented  
7 evidence of mitigation, if the Board files a petition to revoke probation or an accusation, the  
8 Board may suspend Respondent from practice pending the final decision on the petition to  
9 revoke probation or the accusation. This period of suspension will not apply to the reduction of  
10 this probationary time period.

11 ACCEPTANCE

12 I have carefully read the Stipulated Settlement and Disciplinary Order. I  
13 understand the stipulation and the effect it will have on my Registered Nurse License. I enter  
14 into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently,  
15 and agree to be bound by the Decision and Order of the Board of Registered Nursing.

16 DATED: Sept 20, 2007

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19 JILL RENEE SCHROEDER  
20 aka JILL RENEE ARNEY  
21 (Respondent)  
22 Respondent  
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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

DATED: 9/25/07

EDMUND G. BROWN JR., Attorney General  
of the State of California

  
ELENA L. ALMANZO  
Deputy Attorney General

Attorneys for Complainant

DOJ Matter ID: SA2007102108  
10372390.wpd

**Exhibit A**

**Petition to Revoke Probation No. 2004-129**

1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 ARTHUR D. TAGGART  
Supervising Deputy Attorney General  
3 ELENA L. ALMANZO, State Bar No. 131058  
Deputy Attorney General  
4 California Department of Justice  
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Sacramento, CA 94244-2550  
6 Telephone: (916) 322-6121  
Facsimile: (916) 324-5567

7 Attorneys for Complainant  
8

9 **BEFORE THE**  
10 **BOARD OF REGISTERED NURSING**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

12 In the Matter of the Petition to Revoke Probation  
Against:

Case No. 2004-129

13 **JILL RENEE SCHROEDER**  
14 **aka JILL RENEE ARNEY**  
15 165 Sunrise Avenue  
Auburn, California 96150

**PETITION TO REVOKE  
PROBATION**

16 Registered Nurse License No. 550964

17 Respondent.  
18

19 Ruth Ann Terry, M.P.H., R.N. ("Complainant") alleges:

20 **PARTIES**

21 Complainant brings this Petition to Revoke Probation solely in her official  
22 capacity as the Executive Officer of the Board of Registered Nursing ("Board"), Department of  
23 Consumer Affairs.

24 1. On or about January 12, 1999, the Board issued Registered Nurse License  
25 Number RN 550964 to Jill Renee Schroeder, also known as Jill Renee Arney ("Respondent").  
26 The license will expire on August 31, 2008, unless renewed.

27 ///

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1                   **Prior Discipline**

2                   2.       Effective August 20, 2004, pursuant to the Stipulated Settlement and  
3       Disciplinary Order in Accusation No. 2004-129, the Board of Registered Nursing revoked  
4       Respondent's Registered Nurse License No. 550964. However, the revocation was stayed and  
5       Respondent's license was placed on probation for a period of three (3) years with certain terms  
6       and conditions. A copy of the Stipulated Settlement and Disciplinary Order is attached hereto as  
7       **Exhibit A** and is incorporated herein by reference.

8                   3.       Condition Number 4 of the Stipulation provides in pertinent part:  
9                   "Periods of residency or practice as a registered nurse outside of California shall not apply  
10                  toward a reduction of this probation time period. Respondent's probation is tolled, if and  
11                  when she resides outside of California. Respondent must provide written notice to the  
                  Board within 15 days of any change of residency or practice outside the state, and within  
                  30 days prior to re-establishing residency or returning to practice in this state."

12                  4.       At the time the stipulation was entered Respondent resided outside  
13       California. Respondent notified the board of her residency in California on April 30, 2005.  
14       Consequently, her probation was tolled until April 30, 2005.

15                                   **JURISDICTION**

16                  5.       Business and Professions Code ("Code") section 2750 provides, in  
17       pertinent part, that the Board may discipline any licensee, including a licensee holding a  
18       temporary or an inactive license, for any reason provided in Article 3 (commencing with Code  
19       section 2750) of the Nursing Practice Act.

20                  6.       Code section 2764 provides, in pertinent part, that the expiration of a  
21       license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding  
22       against the licensee or to render a decision imposing discipline on the license. Under Code  
23       section 2811(b), the Board may renew an expired license at any time within eight years after the  
24       expiration.

25                  7.       Code section 118(b), provides, in pertinent part, that the expiration of a  
26       license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the  
27       period within which the license may be renewed, restored, reissued or reinstated.

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1 comply with Probation Condition 16, referenced above. Respondent failed to abstain from  
2 alcohol in that she tested positive for alcohol on April 19, 2007, May 31, 2007, and  
3 June 27, 2007.


4 **WHEREFORE**, Complainant requests that a hearing be held on the matters  
5 herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

6 1. Revoking the probation that was granted by the Board of Registered  
7 Nursing in Case No. 2004-129 and imposing the disciplinary order that was stayed thereby  
8 revoking Registered Nurse License No. 550964, issued to Jill Renee Schroeder, also known as  
9 Jill Renee Arney;

10 2. Revoking or suspending Registered Nurse License No. 550964, issued to  
11 Jill Renee Schroeder, also known as Jill Renee Arney; and,

12 3. Taking such other and further action as deemed necessary and proper.

13 DATED: 8/17/07

14   
15 RUTH ANN TERRY, M.P.H., R.N.  
16 Executive Officer  
17 Board of Registered Nursing  
18 Department of Consumer Affairs  
19 State of California  
20 Complainant

20 SA2007102108  
21 Pet.Revoke (kdg) 8/14/07  
22 Revised 8/18/07  
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***EXHIBIT A***

**BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

JILL RENEE SCHROEDER ARNEY  
Post Office Box 3112  
660 Northwood Blvd., #19  
Incline Village, NV 89450

Registered Nurse License No. 550964

Respondent.

Case No. 2004-129

OAH No.

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on August 20, 2004.

It is so ORDERED July 21, 2004.

*Sandra L. Erickson*

\_\_\_\_\_  
FOR THE BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS

1 BILL LOCKYER, Attorney General  
of the State of California  
2 ELENA L. ALMANZO, State Bar No. 131058  
Deputy Attorney General  
3 California Department of Justice  
1300 I Street, Suite 125  
4 P.O. Box 944255  
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5 Telephone: (916) 322-5524  
6 Facsimile: (916) 327-8643

7 Attorneys for Complainant

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2004-129

13 JILL RENEE SCHROEDER ARNEY  
Post Office Box 5734  
Stateline, NV 89449

14 Registered Nurse License No. 550964

**STIPULATED SETTLEMENT  
AND DISCIPLINARY ORDER**

15 Respondent.

16 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the  
17 above-entitled proceedings that the following matters are true:

18 PARTIES

19 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) is the Executive Officer of  
20 the Board of Registered Nursing. She brought this action solely in her official capacity and is  
21 represented in this matter by Bill Lockyer, Attorney General of the State of California, by  
22 Elena L. Almanzo, Deputy Attorney General.

23 2. Jill Renee Schroeder Arney (Respondent) is representing herself in this  
24 proceeding and has chosen not to exercise her right to be represented by counsel.

25 3. On or about January 12, 1999, the Board of Registered Nursing issued  
26 Registered Nurse License No. 550964 to Jill Renee Schroeder Arney (Respondent). The license  
27 will expire on August 31, 2006, unless renewed.  
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**PART I**

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**Abstract**

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1 the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of  
2 compliance with this condition, Respondent shall submit completed fingerprint forms and  
3 fingerprint fees within 45 days of the effective date of the decision, unless previously submitted  
4 as part of the licensure application process.

5 **Criminal Court Orders:** If Respondent is under criminal court orders, including  
6 probation or parole, and the order is violated, this shall be deemed a violation of these probation  
7 conditions, and may result in the filing of an accusation and/or petition to revoke probation.

8 2. **Comply with the Board's Probation Program.** Respondent shall fully  
9 comply with the conditions of the Probation Program established by the Board and cooperate  
10 with representatives of the Board in its monitoring and investigation of the Respondent's  
11 compliance with the Board's Probation Program. Respondent shall inform the Board in writing  
12 within no more than 15 days of any address change and shall at all times maintain an active,  
13 current license status with the Board, including during any period of suspension.

14 Upon successful completion of probation, Respondent's license shall be fully  
15 restored.

16 3. **Report in Person.** Respondent, during the period of probation, shall  
17 appear in person at interviews/meetings as directed by the Board or its designated  
18 representatives.

19 4. **Residency, Practice, or Licensure Outside of State.** Periods of  
20 residency or practice as a registered nurse outside of California shall not apply toward a reduction  
21 of this probation time period. Respondent's probation is tolled, if and when she resides outside  
22 of California. Respondent must provide written notice to the Board within 15 days of any change  
23 of residency or practice outside the state, and within 30 days prior to re-establishing residency or  
24 returning to practice in this state.

25 Respondent shall provide a list of all states and territories where she has ever been  
26 licensed as a registered nurse, vocational nurse, or practical nurse. Respondent shall further  
27 provide information regarding the status of each license and any changes in such license status

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1 during the term of probation. Respondent shall inform the Board if she applies for or obtains a  
2 new nursing license during the term of probation.

3           **5. Submit Written Reports.** Respondent, during the period of probation,  
4 shall submit or cause to be submitted such written reports/declarations and verification of actions  
5 under penalty of perjury, as required by the Board. These reports/declarations shall contain  
6 statements relative to Respondent's compliance with all the conditions of the Board's Probation  
7 Program. Respondent shall immediately execute all release of information forms as may be  
8 required by the Board or its representatives.

9           Respondent shall provide a copy of this Decision to the nursing regulatory agency  
10 in every state and territory in which she has a registered nurse license.

11           **6. Function as a Registered Nurse.** Respondent, during the period of  
12 probation, shall engage in the practice of registered nursing in California for a minimum of 24  
13 hours per week for 6 consecutive months or as determined by the Board.

14           For purposes of compliance with the section, "engage in the practice of registered  
15 nursing" may include, when approved by the Board, volunteer work as a registered nurse, or  
16 work in any non-direct patient care position that requires licensure as a registered nurse.

17           The Board may require that advanced practice nurses engage in advanced practice  
18 nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the  
19 Board.

20           If Respondent has not complied with this condition during the probationary term,  
21 and Respondent has presented sufficient documentation of her good faith efforts to comply with  
22 this condition, and if no other conditions have been violated, the Board, in its discretion, may  
23 grant an extension of Respondent's probation period up to one year without further hearing in  
24 order to comply with this condition. During the one year extension, all original conditions of  
25 probation shall apply.

26           **7. Employment Approval and Reporting Requirements.** Respondent  
27 shall obtain prior approval from the Board before commencing or continuing any employment,  
28 paid or voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all

1 performance evaluations and other employment related reports as a registered nurse upon request  
2 of the Board.

3 Respondent shall provide a copy of this Decision to her employer and immediate  
4 supervisors prior to commencement of any nursing or other health care related employment.

5 In addition to the above, Respondent shall notify the Board in writing within  
6 seventy-two (72) hours after she obtains any nursing or other health care related employment.  
7 Respondent shall notify the Board in writing within seventy-two (72) hours after she is  
8 terminated or separated, regardless of cause, from any nursing, or other health care related  
9 employment with a full explanation of the circumstances surrounding the termination or  
10 separation.

11 8. **Supervision.** Respondent shall obtain prior approval from the Board  
12 regarding Respondent's level of supervision and/or collaboration before commencing or  
13 continuing any employment as a registered nurse, or education and training that includes patient  
14 care.

15 Respondent shall practice only under the direct supervision of a registered nurse  
16 in good standing (no current discipline) with the Board of Registered Nursing, unless alternative  
17 methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician)  
18 are approved.

19 Respondent's level of supervision and/or collaboration may include, but is not  
20 limited to the following:

21 (a) Maximum - The individual providing supervision and/or collaboration is  
22 present in the patient care area or in any other work setting at all times.

23 (b) Moderate - The individual providing supervision and/or collaboration is in  
24 the patient care unit or in any other work setting at least half the hours Respondent works.

25 (c) Minimum - The individual providing supervision and/or collaboration has  
26 person-to-person communication with Respondent at least twice during each shift worked.

27 (d) Home Health Care - If Respondent is approved to work in the home health  
28 care setting, the individual providing supervision and/or collaboration shall have person-to-

1 person communication with Respondent as required by the Board each work day. Respondent  
2 shall maintain telephone or other telecommunication contact with the individual providing  
3 supervision and/or collaboration as required by the Board during each work day. The individual  
4 providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-  
5 site visits to patients' homes visited by Respondent with or without Respondent present.

6           9.     **Employment Limitations.** Respondent shall not work for a nurse's  
7 registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a  
8 traveling nurse, or for an in-house nursing pool.

9           Respondent shall not work for a licensed home health agency as a visiting nurse  
10 unless the registered nursing supervision and other protections for home visits have been  
11 approved by the Board. Respondent shall not work in any other registered nursing occupation  
12 where home visits are required.

13           Respondent shall not work in any health care setting as a supervisor of registered  
14 nurses. The Board may additionally restrict Respondent from supervising licensed vocational  
15 nurses and/or unlicensed assistive personnel on a case-by-case basis.

16           Respondent shall not work as a faculty member in an approved school of nursing  
17 or as an instructor in a Board approved continuing education program.

18           Respondent shall work only on a regularly assigned, identified and predetermined  
19 worksite(s) and shall not work in a float capacity.

20           If Respondent is working or intends to work in excess of 40 hours per week, the  
21 Board may request documentation to determine whether there should be restrictions on the hours  
22 of work.

23           10.    **Complete a Nursing Course(s).** Respondent, at her own expense, shall  
24 enroll and successfully complete a course(s) relevant to the practice of registered nursing no later  
25 than six months prior to the end of her probationary term.

26           Respondent shall obtain prior approval from the Board before enrolling in the  
27 course(s). Respondent shall submit to the Board the original transcripts or certificates of

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1 completion for the above required course(s). The Board shall return the original documents to  
2 Respondent after photocopying them for its records.

3           11.     **Cost Recovery.** Respondent shall pay to the Board costs associated with  
4 its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the  
5 amount of \$1,088.50. Respondent shall be permitted to pay these costs in a payment plan  
6 approved by the Board, with payments to be completed no later than three months prior to the  
7 end of the probation term.

8           If Respondent has not complied with this condition during the probationary term,  
9 and Respondent has presented sufficient documentation of her good faith efforts to comply with  
10 this condition, and if no other conditions have been violated, the Board, in its discretion, may  
11 grant an extension of Respondent's probation period up to one year without further hearing in  
12 order to comply with this condition. During the one year extension, all original conditions of  
13 probation will apply.

14           12.     **Violation of Probation.** If Respondent violates the conditions of her  
15 probation, the Board after giving Respondent notice and an opportunity to be heard, may set  
16 aside the stay order and impose the stayed discipline (revocation/suspension) of Respondent's  
17 license.

18           If during the period of probation, an accusation or petition to revoke probation has  
19 been filed against Respondent's license or the Attorney General's Office has been requested to  
20 prepare an accusation or petition to revoke probation against Respondent's license, the  
21 probationary period shall automatically be extended and shall not expire until the accusation or  
22 petition has been acted upon by the Board.

23           13.     **License Surrender.** During Respondent's term of probation, if she ceases  
24 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of  
25 probation, Respondent may surrender her license to the Board. The Board reserves the right to  
26 evaluate Respondent's request and to exercise its discretion whether to grant the request, or to  
27 take any other action deemed appropriate and reasonable under the circumstances, without  
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1 further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent  
2 will no longer be subject to the conditions of probation.

3 Surrender of Respondent's license shall be considered a disciplinary action and  
4 shall become a part of Respondent's license history with the Board. A registered nurse whose  
5 license has been surrendered may petition the Board for reinstatement no sooner than the  
6 following minimum periods from the effective date of the disciplinary decision:

7 (1) Two years for reinstatement of a license that was surrendered for any  
8 reason other than a mental or physical illness; or

9 (2) One year for a license surrendered for a mental or physical illness.

10 14. **Physical Examination.** Within 45 days of the effective date of this  
11 Decision, Respondent, at her expense, shall have a licensed physician, nurse practitioner, or  
12 physician assistant, who is approved by the Board before the assessment is performed, submit an  
13 assessment of the Respondent's physical condition and capability to perform the duties of a  
14 registered nurse. Such an assessment shall be submitted in a format acceptable to the Board. If  
15 medically determined, a recommended treatment program will be instituted and followed by the  
16 Respondent with the physician, nurse practitioner, or physician assistant providing written  
17 reports to the Board on forms provided by the Board.

18 If Respondent is determined to be unable to practice safely as a registered nurse,  
19 the licensed physician, nurse practitioner, or physician assistant making this determination shall  
20 immediately notify the Board and Respondent by telephone, and the Board shall request that the  
21 Attorney General's office prepare an accusation or petition to revoke probation. Respondent  
22 shall immediately cease practice and shall not resume practice until notified by the Board.  
23 During this period of suspension, Respondent shall not engage in any practice for which a license  
24 issued by the Board is required until the Board has notified Respondent that a medical  
25 determination permits Respondent to resume practice. This period of suspension will not apply  
26 to the reduction of this probationary time period.

27 If Respondent fails to have the above assessment submitted to the Board within  
28 the 45-day requirement, Respondent shall immediately cease practice and shall not resume

1 practice until notified by the Board. This period of suspension will not apply to the reduction of  
2 this probationary time period. The Board may waive or postpone this suspension only if  
3 significant, documented evidence of mitigation is provided. Such evidence must establish good  
4 faith efforts by Respondent to obtain the assessment, and a specific date for compliance must be  
5 provided. Only one such waiver or extension may be permitted.

6           **15. Participate in Treatment/Rehabilitation Program for Chemical**  
7 **Dependence.** Respondent, at her expense, shall successfully complete during the probationary  
8 period or shall have successfully completed prior to commencement of probation a Board-  
9 approved treatment/rehabilitation program of at least six months duration. As required, reports  
10 shall be submitted by the program on forms provided by the Board. If Respondent has not  
11 completed a Board-approved treatment/rehabilitation program prior to commencement of  
12 probation, Respondent, within 45 days from the effective date of the decision, shall be enrolled in  
13 a program. If a program is not successfully completed within the first nine months of probation,  
14 the Board shall consider Respondent in violation of probation.

15           Based on Board recommendation, each week Respondent shall be required to  
16 attend at least one, but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics  
17 Anonymous, Alcoholics Anonymous, etc.) and a nurse support group as approved and directed  
18 by the Board. If a nurse support group is not available, an additional 12-step meeting or  
19 equivalent shall be added. Respondent shall submit dated and signed documentation confirming  
20 such attendance to the Board during the entire period of probation. Respondent shall continue  
21 with the recovery plan recommended by the treatment/rehabilitation program or a licensed  
22 mental health examiner and/or other ongoing recovery groups.

23           **16. Abstain from Use of Psychotropic (Mood-Altering) Drugs.** Respondent  
24 shall completely abstain from the possession, injection or consumption by any route of all  
25 psychotropic (mood altering) drugs, including alcohol, except when the same are ordered by a  
26 health care professional legally authorized to do so as part of documented medical treatment.  
27 Respondent shall have sent to the Board, in writing and within fourteen (14) days, by the  
28 prescribing health professional, a report identifying the medication, dosage, the date the

1 medication was prescribed, the Respondent's prognosis, the date the medication will no longer  
2 be required, and the effect on the recovery plan, if appropriate.

3 Respondent shall identify for the Board a single physician, nurse practitioner or  
4 physician assistant who shall be aware of Respondent's history of substance abuse and will  
5 coordinate and monitor any prescriptions for Respondent for dangerous drugs, controlled  
6 substances or mood-altering drugs. The coordinating physician, nurse practitioner, or physician  
7 assistant shall report to the Board on a quarterly basis Respondent's compliance with this  
8 condition. If any substances considered addictive have been prescribed, the report shall identify a  
9 program for the time limited use of any such substances.

10 The Board may require the single coordinating physician, nurse practitioner, or  
11 physician assistant to be a specialist in addictive medicine, or to consult with a specialist in  
12 addictive medicine.

13 17. **Submit to Tests and Samples.** Respondent, at her expense, shall  
14 participate in a random, biological fluid testing or a drug screening program which the Board  
15 approves. The length of time and frequency will be subject to approval by the Board.  
16 Respondent is responsible for keeping the Board informed of Respondent's current telephone  
17 number at all times. Respondent shall also ensure that messages may be left at the telephone  
18 number when she is not available and ensure that reports are submitted directly by the testing  
19 agency to the Board, as directed. Any confirmed positive finding shall be reported immediately  
20 to the Board by the program and Respondent shall be considered in violation of probation.

21 In addition, Respondent, at any time during the period of probation, shall fully  
22 cooperate with the Board or any of its representatives, and shall, when requested, submit to such  
23 tests and samples as the Board or its representatives may require for the detection of alcohol,  
24 narcotics, hypnotics, dangerous drugs, or other controlled substances.

25 If Respondent has a positive drug screen for any substance not legally authorized  
26 and not reported to the coordinating physician, nurse practitioner, or physician assistant, and the  
27 Board files a petition to revoke probation or an accusation, the Board may suspend Respondent  
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1 from practice pending the final decision on the petition to revoke probation or the accusation.  
2 This period of suspension will not apply to the reduction of this probationary time period.

3 If Respondent fails to participate in a random, biological fluid testing or drug  
4 screening program within the specified time frame, Respondent shall immediately cease practice  
5 and shall not resume practice until notified by the Board. After taking into account documented  
6 evidence of mitigation, if the Board files a petition to revoke probation or an accusation, the  
7 Board may suspend Respondent from practice pending the final decision on the petition to  
8 revoke probation or the accusation. This period of suspension will not apply to the reduction of  
9 this probationary time period.

10 18. **Mental Health Examination.** Respondent shall, within 45 days of the  
11 effective date of this Decision, have a mental health examination including psychological testing  
12 as appropriate to determine her capability to perform the duties of a registered nurse. The  
13 examination will be performed by a psychiatrist, psychologist or other licensed mental health  
14 practitioner approved by the Board. The examining mental health practitioner will submit a  
15 written report of that assessment and recommendations to the Board. All costs are the  
16 responsibility of Respondent. Recommendations for treatment, therapy or counseling made as a  
17 result of the mental health examination will be instituted and followed by Respondent.

18 If Respondent is determined to be unable to practice safely as a registered nurse,  
19 the licensed mental health care practitioner making this determination shall immediately notify  
20 the Board and Respondent by telephone, and the Board shall request that the Attorney General's  
21 office prepare an accusation or petition to revoke probation. Respondent shall immediately cease  
22 practice and may not resume practice until notified by the Board. During this period of  
23 suspension, Respondent shall not engage in any practice for which a license issued by the Board  
24 is required, until the Board has notified Respondent that a mental health determination permits  
25 Respondent to resume practice. This period of suspension will not apply to the reduction of this  
26 probationary time period.

27 If Respondent fails to have the above assessment submitted to the Board within  
28 the 45-day requirement, Respondent shall immediately cease practice and shall not resume



1 practice until notified by the Board. This period of suspension will not apply to the reduction of  
2 this probationary time period. The Board may waive or postpone this suspension only if  
3 significant, documented evidence of mitigation is provided. Such evidence must establish good  
4 faith efforts by Respondent to obtain the assessment, and a specific date for compliance must be  
5 provided. Only one such waiver or extension may be permitted.

6 19. **Therapy or Counseling Program.** Respondent, at her expense, shall  
7 participate in an on-going counseling program until such time as the Board releases her from this  
8 requirement and only upon the recommendation of the counselor. Written progress reports from  
9 the counselor will be required at various intervals.

10 ACCEPTANCE

11 I have carefully read the Stipulated Settlement and Disciplinary Order. I  
12 understand the stipulation and the effect it will have on my Registered Nurse License. I enter  
13 into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently,  
14 and agree to be bound by the Decision and Order of the Board of Registered Nursing.

15 DATED: March 25, 2004.

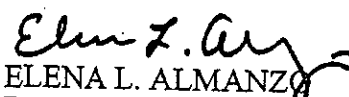
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17   
JILL RENEE SCHROEDER ARNEY  
Respondent

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19 ENDORSEMENT

20 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully  
21 submitted for consideration by the Board of Registered Nursing of the Department of Consumer  
22 Affairs.

23 DATED: 3/30/01

24 BILL LOCKYER, Attorney General  
25 of the State of California

26   
ELENA L. ALMANZO  
27 Deputy Attorney General

28 Attorneys for Complainant

**Exhibit A**

**Accusation No. 2004-129**

1 BILL LOCKYER, Attorney General  
of the State of California  
2 ELENA L. ALMANZO, State Bar No. 131058  
Deputy Attorney General  
3 California Department of Justice  
1300 I Street, Suite 125  
4 P.O. Box 944255  
Sacramento, CA 94244-2550  
5 Telephone: (916) 322-5524  
Facsimile: (916) 327-8643

6 Attorneys for Complainant  
7

8 BEFORE THE  
9 BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
10 STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 2004-129

12 JILL RENEE SCHROEDER  
a.k.a JILL RENEE ARNEY

13 Post Office Box 3112  
660 Northwood Blvd., #19  
14 Incline Village, NV 89450

15 Registered Nurse License No. 550964

16 Respondent.  
17

ACCUSATION

18 PARTIES

19 Ruth Ann Terry, M.P.H., R.N. ("Complainant") alleges:

20 1. Complainant brings this Accusation solely in her official capacity as the  
21 Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs.

22 LICENSE INFORMATION

23 2. On or about January 12, 1999, the Board of Registered Nursing ("Board")  
24 issued Registered Nurse License Number 550964 to Jill Renee Schroeder ("Respondent") also  
25 known as Jill Renee Arney. The Registered Nurse License expired on August 31, 2002, and has  
26 not been renewed.

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1 CAUSE FOR DISCIPLINE

2 (Out-of-State Discipline)

3 7. Respondent is subject to disciplinary action under Code section 2761,  
4 subdivision (a)(4), in that on or about November 19, 2002, Respondent voluntarily surrender her  
5 nursing license (RN32328) to the Nevada State Board of Nursing. On or about November 25,  
6 2002, Respondent and the Nevada State Board of Nursing entered into an Agreement for  
7 Voluntary Surrender of License/Certificate in Lieu of Other Disciplinary Action, based on the  
8 following findings of fact:

9 a. Respondent admitted that she diverted and used drugs while on duty.  
10 Such an act would be grounds for disciplinary action in California under Code section 2762,  
11 subdivision (a) (obtained or possessed controlled substances).

12 b. Respondent admitted that she had been habitually intemperate and used  
13 controlled substances on a regular basis. Such an act would be grounds for disciplinary action in  
14 California under Code section 2762, subdivision (d) (intemperate use of controlled substances).

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1 PRAYER


2 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
3 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

4 1. Revoking or suspending Registered Nurse License Number 550964, issued  
5 to Jill Renee Schroeder also known as Jill Renee Arney;

6 2. Ordering Jill Renee Schroeder also known as Jill Renee Arney to pay the  
7 Board of Registered Nursing the reasonable costs of the investigation and enforcement of this  
8 case, pursuant to Business and Professions Code section 125.3; and,

9 3. Taking such other and further action as deemed necessary and proper.

10 DATED: 12/8/03

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14 RUTH ANN TERRY, M.P.H., R.N.  
15 Executive Officer  
16 Board of Registered Nursing  
17 Department of Consumer Affairs  
18 State of California  
19 Complainant  
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jrt 10/24/03